

DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
MINUTES - TRIAL

**FILED**  
DISTRICT COURT OF GUAM  
NOV - 1 2005

MARY L.M. MORAN  
CLERK OF COURT

CASE NO. MJ-05-00038

DATE: November 1, 2005

HON. JOAQUIN V.E. MANIBUSAN, JR., Magistrate Judge, Presiding

Law Clerk: Judith Hattori

Court Recorder & Courtroom Deputy: Leilani Toves Hernandez

Hearing Electronically Recorded: 10:07:01 - 10:13:07

CSO: B. Pereda

\*\*\*\*\* APPEARANCES \*\*\*\*\*

DEFT Rose Marie Meno aka Rose Fegurgur

ATTY Jaqueline Terlaje for Joaquin C. Arriola, Jr.

(X) PRESENT (X) CUSTODY ( ) BOND ( ) P.R.

(X) PRESENT ( ) RETAINED ( ) FPD (X) CJA APPOINTED

U.S. ATTORNEY: STEVE CHIAPPETTA

AGENT:

U.S. PROBATION: GRACE FLORES & JUDY OCAMPO

U.S. MARSHAL: V. ROMAN

DAY NO. 1 OF TRIAL

( ) JURY TRIAL

( ) JURY EMPANELED AND SWORN

( ) OPENING STATEMENT BY THE \_\_\_\_ Plaintiff \_\_\_\_ Defendant

( ) WITNESSES SWORN AND EXAMINED

( ) EXHIBITS MARKED AND ADMITTED

SEE ATTACHED EXHIBIT AND WITNESS LIST, AO FORM 187 (and 187A, when applicable)

( ) CLOSING ARGUMENT BY THE \_\_\_\_ Plaintiff \_\_\_\_ Defendant

( ) TRIAL/DELIBERATION CONTINUED TO: \_\_\_\_\_ at \_\_\_\_\_

( ) JURY CHARGED BY COURT

( ) JURY DELIBERATE AT \_\_\_\_\_ ( ) JURY RETURNS VERDICT AT: \_\_\_\_\_

( ) JURY VERDICT: \_\_\_\_\_

( ) JURY POLLED ( ) POLLING WAIVED ( ) JURY DISCHARGED

( ) COURT FINDINGS: \_\_\_\_\_

( ) OTHER MATTER(s):

Government informed the Court that they intended to go forward with a change of plea this morning. The Court stated that it received the plea agreement, however, had concerns regarding Count 3 of the Information.

The Court continued the matter to November 3, 2005 at 1:30 p.m. to further discuss the issue. Counsel may submit a brief on whether to include or omit Count 3 from the plea agreement. However, if parties agree that it should be omitted, then it is not necessary.

Proceedings were continued to November 3, 2005 at 1:30 p.m., for a possible change of plea.